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November 9, 2020

VIA ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square, Courtroom 619
New York, New York 10007

Re: Wolff, et ano. v. Glenn, et al., 20 Civ. 03651 (ER)

Your Honor:

We write briefly to respond to several factual inaccuracies in Defendants' letter to the Court dated November 5, 2020 (D.E. 36) in response to Plaintiffs' request for a pre-motion discovery conference dated November 4, 2020 (D.E. 34) (the "Letter Motion").

First, Defendants' counsel makes reckless misstatements concerning allegations that Plaintiffs have attempted to "interfere with a potential new sale" of the Apartment. Counsel for Plaintiffs has never threatened Defendants with adverse publicity and Plaintiffs did not "plant" disparaging news stories. The assertions are absurd. Plaintiffs merely seek the discovery to which they are entitled to demonstrate that there was nothing unusual about Plaintiffs' actions during the attempt to purchase the Apartment and that there was no "bad faith."

Second, with respect to Defendants' finances, Defendants' disingenuously now claim that it would be burdensome to produce these documents. The materials we seek are available to Defendants at the push of a button and no particular burden has been expressed to us.

Third, Defendants' counsel raising of Plaintiffs' supposed discovery deficiencies with the Court is new to us. No effort has been made to resolve these issues with us.

Finally, Defendants state that Plaintiffs have refused to provide dates for the depositions of Plaintiffs' holding company and accountants. However, we can state to the Court definitively that Defendants have never requested dates for these depositions, and in fact they have indicated to Plaintiffs that they are unsure as to whether they plan to take these depositions. Defendants' counsel simply did not adhere to Local Rule 37.2.

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Accordingly, for the above stated reasons and those previously set forth in Plaintiffs' November 4, 2020 Letter Motion, Plaintiffs respectfully request a pre-motion discovery conference to seek leave to file a Motion to Compel.

We thank the Court for its courtesies.

Respectfully Submitted,

/s/ Noah H. Bunzl
Noah H. Bunzl

cc: Richard G. Menaker, Esq. (via ECF and email)
Stephen M. Forte, Esq. (via ECF and email)